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SRGLT.004R

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application : 10/626,486

Confirmation Number 3794

Applicant : SurgiLight, Inc.

Filed : 24 July 2003

04/02/2004 SHINASS1 00000089 10626486

Art Unit : 3738

01 FC:2001	385.00 OP
02 FC:2202	27.00 OP
03 FC:2201	43.00 OP
04 FC:2051	65.00 OP

Examiner : Unknown

Customer : 20,995

PETITION TO ACCEPT AN UNEXECUTED DECLARATION
UNDER 37 C.F.R. § 1.47(b)

Commissioner for Patents
Post Office Box 1450
Alexandria, Virginia 22313-1450

04/02/2004 SHINASS1 00000089 10626486
06 FC:2255 1005.00 OP

Sir:

Applicant hereby petitions the Commissioner under 37 C.F.R. § 1.47(b) to accept the enclosed unexecuted Declaration for the above-captioned U.S. patent application. Applicant submits with this petition the following:

1. An unexecuted Declaration by Inventor.
2. A Copy of Assignment from non-signing inventor Jui-Teng Lin to Applicant.
3. A Declaration by Colette Cozean Regarding Non-Signing Inventor Jui-Teng Lin, with exhibits.

The non-signing inventor, Jui-Teng Lin, has assigned his entire right in the above-captioned application to SurgiLight, Inc., as evidenced by the attached Copy of Assignment. Therefore, in view of the foregoing, and to preserve Applicant's rights in the above-captioned application, Applicant respectfully requests permission to

Application 10/626,486

prosecute the above-captioned application on behalf of the non-signing inventor. The above Declarations provide proof that the non-signing inventor refuses to execute the application papers. The last known address of the non-signing inventor is:

Jui-Teng Lin, Ph.D.
Coleman Low FCI
846 NE 54th Terrace, Box 1029
Coleman, Florida 33521

The appropriate fees are enclosed herewith. However, the Commissioner is authorized to charge any additional fees, or to credit any overpayment, to Deposit Account 11-1410.

This petition is submitted in duplicate.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 29 mar 04

By: Kyle F. Schlueter
Kyle F. Schlueter
Registration No. 54,912
Attorney of Record
Customer No. 20,995
(310) 551-3450

AMEND

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022904

SRGLT.004RA

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application : 10/626,486

Confirmation Number 3794

Applicant : SurgiLight, Inc.

Filed : 24 July 2003

Art Unit : 3738

Examiner : Unknown

Customer : 20,995

PETITION TO ACCEPT AN UNEXECUTED DECLARATION
UNDER 37 C.F.R. § 1.47(b)

04/02/2004 SMINASS1 00000089 10626486

05 FC:1460 130.00 0P

Commissioner for Patents
Post Office Box 1450
Alexandria, Virginia 22313-1450

Sir:

Applicant hereby petitions the Commissioner under 37 C.F.R. § 1.47(b) to accept the enclosed unexecuted Declaration for the above-captioned U.S. patent application. Applicant submits with this petition the following:

1. An unexecuted Declaration by Inventor.
2. A Copy of Assignment from non-signing inventor Jui-Teng Lin to Applicant.
3. A Declaration by Colette Cozean Regarding Non-Signing Inventor Jui-Teng Lin, with exhibits.

The non-signing inventor, Jui-Teng Lin, has assigned his entire right in the above-captioned application to SurgiLight, Inc., as evidenced by the attached Copy of Assignment. Therefore, in view of the foregoing, and to preserve Applicant's rights in the above-captioned application, Applicant respectfully requests permission to

Application 10/626,486

prosecute the above-captioned application on behalf of the non-signing inventor. The above Declarations provide proof that the non-signing inventor refuses to execute the application papers. The last known address of the non-signing inventor is:

Jui-Teng Lin, Ph.D.
Coleman Low FCI
846 NE 54th Terrace, Box 1029
Coleman, Florida 33521

The appropriate fees are enclosed herewith. However, the Commissioner is authorized to charge any additional fees, or to credit any overpayment, to Deposit Account 11-1410.

This petition is submitted in duplicate.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 29 mar 04

By: Kyle F. Schlueter
Kyle F. Schlueter
Registration No. 54,912
Attorney of Record
Customer No. 20,995
(310) 551-3450

AMEND

H:\DOCS\KFS\SURGILIGHT\004RA\SRGLT.004RA PETITION.DOC
022904



SRGLT.004R

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application : 10/626,486

Confirmation Number 3794

Applicant : SurgiLight, Inc.

Filed : 24 July 2003

Art Unit : 3738

Examiner : Unknown

Customer : 20,995

DECLARATION BY COLETTE COZEAN UNDER 37 C.F.R. § 1.47(b)
REGARDING NON-SIGNING INVENTOR JUI-TENG LIN

Commissioner for Patents
Post Office Box 1450
Alexandria, Virginia 22313-1450

Sir:

I, Colette Cozean, declare and state the following:

1. I am the Chief Executive Officer of SurgiLight, Inc. ("SurgiLight").
2. I am informed and believe that Dr. Jui-Teng Lin is the sole inventor of the invention claimed in U.S. Patent Application 10/626,486 ("the '486 Application"), which is a reissue application from U.S. Patent 6,263,879.
3. I am informed and believe that Dr. Jui-Teng Lin assigned all rights in U.S. Patent 6,263,879, including rights to all reissues thereof, to SurgiLight by virtue of an assignment dated 2 August 2001. A copy of this Assignment is attached hereto as Exhibit A, and is incorporated by reference herein.
4. I am informed and believe that Dr. Lin was a principal employee of SurgiLight at the time of the activities leading up to the invention of the subject matter claimed in the '486 Application.
5. I am informed and believe that Dr. Lin participated in developing apparatuses and techniques to treat presbyopia via laser ablation on behalf of SurgiLight.

Application 10/626,486

6. I am informed and believe that Dr. Lin is currently incarcerated at the Coleman Low Security Federal Correctional Institution, and that his current address is:

Jui-Teng Lin, Ph.D.
Coleman Low FCI
846 NE 54th Terrace, Box 1029
Coleman, Florida 33521

7. On or about 6 February 2004, I sent Dr. Lin, via the United States Postal Service, Return Receipt Requested:

- a copy of the '486 Application;
- a copy of the Preliminary Amendment filed on 24 July 2003 with the '486 Application; and
- a Reissue Declaration Under 37 C.F.R. § 1.175.

I sent these materials to Dr. Lin with a note asking him to execute the Reissue Declaration and return it to me. I sent these materials to the address set forth in Paragraph Six of this Declaration. A copy of the Reissue Declaration is attached hereto as Exhibit B, and is incorporated by reference herein.

8. I am informed and believe that Dr. Lin is married to Yuchin Lin, whose last known address to me is:

Yuchin Lin
4532 Old Carriage Trail
Oviedo, Florida 32765.

9. On or about 6 February 2004, I sent Yuchin Lin, via the United States Postal Service, Return Receipt Requested:

- a copy of the '486 Application;
- a copy of the Preliminary Amendment filed on 24 July 2003 with the '486 Application; and
- a Reissue Declaration Under 37 C.F.R. § 1.175.

I sent these materials to Ms. Lin with a note asking her to have Dr. Lin execute the Reissue Declaration and return it to me. I sent these materials to the address set forth in Paragraph Eight of this Declaration.

10. I received a receipt indicating that the mailing set forth in Paragraph Seven of this Declaration was received at the Coleman Low Security Federal Correctional Institution on 11 February 2004. A copy of this delivery receipt is attached hereto as Exhibit C, and is incorporated by reference herein.
11. I received a receipt indicating that the mailing set forth in Paragraph Nine of this Declaration was received on 12 February 2004. A copy of this delivery receipt is attached hereto as Exhibit D, and is incorporated by reference herein.
12. On or about 5 March 2004, I received a "Final Notice" from the United States Postal Service indicating that the mailing set forth in Paragraph Seven of this declaration was "Refused by Coleman Prison". A copy of this notification is attached hereto as Exhibit E, and is incorporated by reference herein.
13. As of the date of this Declaration, I have not received any communication from Dr. Lin or his wife in response to the mailings set forth in Paragraphs Seven and Nine of this Declaration. In particular, I have not received a Reissue Declaration signed by J.T. Lin for the '486 Application.
14. All statements made herein of my own knowledge are true. All statements made on information and belief are believed to be true. I am signing this Declaration with knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the '486 Application or any patent issuing therefrom.

Dated: 3/25/04

By: Colette Cozean
Colette Cozean

COPY

PATENT ASSIGNMENT

WHEREAS, J.T. LIN, an individual, having a place of residence address at 4532 Old Canine Trail, Oviedo, FL 32765 ("Assignor"), is the owner of all rights in certain United States patent(s) and application(s) which are described in detail in Schedules A and B incorporated in this Assignment and certain foreign patents and foreign patent applications which are described in detail in Schedules C and D in this Assignment; and

WHEREAS, Surgilight, Inc., a Delaware corporation, having a place of business at 12001 Science Dr. Suite 140, Orlando, FL 32826 ("Assignee"), is desirous of obtaining the entire right, title, and interest in, to and under the aforesaid patent(s) and application(s):

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, Assignor has sold, assigned, transferred, and set over, and by these presents does hereby sell, assign, transfer, and set over unto Assignee, all of the patent(s) and application(s) described in the aforesaid schedules, for its own use and benefit, and for the use and benefit of its successors, legal representatives, and assigns, including:

1. the entire right, title, and interest in and to the United States patent(s) and application(s) as listed in Schedules A and B annexed hereto and made a part hereof, including all divisionals, continuations and continuations-in-part thereof, all patent applications claiming priority therefrom, and all patents which may be granted thereon, all rights of priority therein, all reissues and re-examinations and extensions thereof, and in and to the inventions disclosed therein;

J.T.

2. the entire right, title, and interest in and to foreign patent(s) and application(s) as listed in Schedules C and D annexed hereto and made a part hereof, including all divisionals, continuations and continuations-in-part thereof, and all patents of any country which may be granted thereon and reissues, renewals and extensions thereof, all rights of priority therein, and all applications for industrial property protection, which may hereafter be filed that correspond to the existing patents or applications in Schedules A, B, C or D, including without limitation, all applications for patents, utility models, and designs; together with the right to file such applications and the right to claim priority from prior applications under the patent laws of the United States or other countries under the International Agreement for the Protection of Industrial Property, or any other international agreement, or the domestic laws of the country in which any such application is filed, as may be applicable; and all forms of industrial property protection, including without limitation, patents, applications, utility models, inventors' certificates, and designs which may be granted for said patents, and all extensions, renewals and reissues thereof; and

3. the entire right, title and interest in all claims for damages and all remedies arising out of any violation or infringement of any issued patent identified on Schedule A or Schedule C hereto or of any patent granted in connection with the application listed on Schedule B or Schedule D, that may have occurred before the date hereof,

AND ASSIGNOR HEREBY authorizes and requests the Commissioner of Patents and Trademarks of the United States, and any official of any country or countries foreign to the United States whose duty it is to issue patents or other evidence or forms of industrial property protection on application as aforesaid, to issue the same to Assignee in accordance with the terms of this instrument;

COPY

AND ASSIGNOR HEREBY further covenants and agrees that he will do everything reasonably possible to aid Assignee, its successors, legal representatives, and assigns to obtain patents and other industrial property protection for said inventions in all countries at Assignee's sole expense;

AND ASSIGNOR FURTHER WARRANTS THAT: he is the true and lawful owner of all properties listed on Schedules A through D, and that he will execute further assignments for recordation of the conveyances recited herein as appropriate under the laws of the applicable country.

IN WITNESS WHEREOF, Assignor has executed this Assignment this 2nd day of

August, 2001.

[Signature]

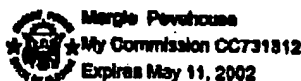
STATE OF FLORIDA)

COUNTY OF BERNARD)

On AUGUST 2, 2001, before me, MARGIE PEVEHOUSE personally appeared J. T. Lin personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



Margie Pevehouse
Signature

MAY 11, 2002
Expiration Date

WHN-JT.doc:cb 073001

J.T.

COPY

SCHEDULE A (Inventor: J.T. Lin)

United States Patents

<u>Patent No.</u>	<u>Issue Date</u>	<u>Title</u>
6,258,082	7/10/2001	Methods and Apparatus For Presbyopia Correction Using Ultraviolet and Infrared Lasers
6,263,879	7/24/2001	Methods and Apparatus For Presbyopia Treatment and other Eye Disorders Using A Scanning Laser System

SCHEDULE B

United States Patents Applications

<u>Application No.</u>	<u>Filing Date</u>	<u>Title</u>
09/794,476*	2/28/2001	Methods and Apparatus For Presbyopia Treatment Using A Scanning Laser System * note: CIP of Pat. 6,263,879
09/820,832*	3/30/2001	Methods and Apparatus For Presbyopia Correction Using Ultraviolet and Infrared Lasers * note: CIP of Pat. 6,258,082
09/706,382	11/06/2000	Apparatus and Methods for The Treatment of Presbyopia Using Fiber-Coupled Lasers

SCHEDULE C

Foreign Patents (NONE)

SCHEDULE D

Foreign Patents Applications

<u>Application No.</u>	<u>Filing Date</u>	<u>Title</u>
PCT of Pat 6,263,879	02/7/01	Treatment of Presbyopia and other Eye Disorders Using A Dual-laser Scanning System

J.T.
PCT of ~~Pat. 6,258,082~~ 08/06/01 - fiber-laser
app. No.
09/706,382

-4-

J.T.
8/6/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Surgilight, Inc.

Group Art Unit 3738

Reissue
Application : 10/626,486

Filed : 24 July 2003

Reissue of
U.S. Patent : 6,263,879

Inventors : J.T. Lin

For : TREATMENT OF PRESBYOPIA AND OTHER
EYE DISORDERS USING A SCANNING LASER
SYSTEM

Examiner : Unknown

REISSUE DECLARATION UNDER 37 C.F.R. § 1.175

Dear Sir:

I hereby declare the following:

1. I am the original and sole inventor of the subject matter which is described and claimed in U.S. Patent 6,263,879, a copy of which is attached to this declaration. I have reviewed and understand the contents of this patent, including the claims.
2. I have reviewed and understand the contents of the Preliminary Amendment filed on 24 July 2003, a copy of which is attached to this declaration. I am the original and sole inventor of the subject matter recited in the amended claims presented in the Preliminary Amendment, including new Claims 14 through 23.
3. I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56.

4. I verily believe the original patent to be wholly or partially inoperative or invalid, because the patentee mistakenly claimed less than the patentee had the right to claim in the patent. At least new Claim 14 is broader than the claims of the original patent in at least some aspects.
5. All errors which are being corrected in this reissue application arose without any deceptive intention on my part.
6. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole inventor: **Jui-Teng Lin**

Signature: _____

Date: _____

Mailing address: **Coleman Low FCI, 846 NE 54th Terrace, PO Box 1029, Coleman, FL 33521**

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

JT Lin, PhD
Cokerman Low FLI
846 NE 54th Terrace
PO 1029
Cokerman, FL
33521

2. Article Number

(Transfer from service label)

7003 2260 0001 1002 9687

PS Form 3811, August 200

Domestic Return Receipt

102596-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent

☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

2-16-04

D. Is delivery address different from item 1? ☐ Yes

If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail

☐ Express Mail

☐ Registered

☐ Return Receipt for Merchandise

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

SENDER: COMPLETE THIS SECTION

- Complete Items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Jui-Teng Lin
4532 Old Carriage Trail
Oviedo, FL
32765

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

[Signature]

☐ Agent

☐ Addressee

B. Received by (Printed Name)

Yueh-Lin

C. Date of Delivery

2/12/04

D. Is delivery address different from Item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

☒ Certified Mail

☐ Express Mail

☐ Registered

☐ Return Receipt for Merchandise

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number

(Transfer from)

7003 2260 0001 1002 9670

PS Form 3811, August 2001

Domestic Return Receipt

102525-0241-1540

United States Postal Service

Sorry We Missed You! We'll Deliver for You

Today's Date

3-2-11

Sender's Name

ROZAN

Item is at

Post Office (See back)

Available for Pick-up After

Date: 3-5-11 Time: 5 PM

We will deliver to you on your request. We will not deliver to you on your request.

☐ If checked, you or your agent must be present at time of delivery to sign for item

☒ Letter
☒ Large envelope, magazine, catalog, etc.
☐ Parcel
☐ Restricted Delivery
☐ Perishable item
☐ Other:

For Delivery: (Enter total number of items delivered by service type)

For Notice Left: (Check applicable item)

☐ Express Mail (We will attempt to deliver on the next delivery day unless you instruct the post office to hold it.)
☒ Certified
☐ Registered
☐ Insured
☐ Return Receipt for Merchandise
☐ Delivery Confirmation
☐ Signature Confirmation
☐ Recorded Delivery
☐ Firm Bill

Article Number(s)

70032260 0001/002 9681

Refused by Coleman

FINAL NOTICE

RETURN TO SENDER

Customer Name and Address

ROZAN

Article Requiring Payment

Amount Due

☐ Postage Due ☐ CDD ☐ Customs

\$

21581 Midcrest DR

Delivered By and Date

☒ Final Notice: Article will be returned to sender on 3-12-11

Delivery Notice/Reminder/Receipt

PS Form 3849, November 1999



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application : 10/626,486

Confirmation Number 3794

Applicant : SurgiLight, Inc.

Filed : 24 July 2003

Art Unit : 3738

Examiner : Unknown

Customer : 20,995

DECLARATION BY COLETTE COZEAN UNDER 37 C.F.R. § 1.47(b)
REGARDING NON-SIGNING INVENTOR JUI-TENG LIN

Commissioner for Patents
Post Office Box 1450
Alexandria, Virginia 22313-1450

Sir:

I, Colette Cozean, declare and state the following:

1. I am the Chief Executive Officer of SurgiLight, Inc. ("SurgiLight").
2. I am informed and believe that Dr. Jui-Teng Lin is the sole inventor of the invention claimed in U.S. Patent Application 10/626,486 ("the '486 Application"), which is a reissue application from U.S. Patent 6,263,879.
3. I am informed and believe that Dr. Jui-Teng Lin assigned all rights in U.S. Patent 6,263,879, including rights to all reissues thereof, to SurgiLight by virtue of an assignment dated 2 August 2001. A copy of this Assignment is attached hereto as Exhibit A, and is incorporated by reference herein.
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5. I am informed and believe that Dr. Lin participated in developing apparatuses and techniques to treat presbyopia via laser ablation on behalf of SurgiLight.

Application 10/626,486

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Coleman Low FCI
846 NE 54th Terrace, Box 1029
Coleman, Florida 33521

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- a copy of the Preliminary Amendment filed on 24 July 2003 with the '486 Application; and
- a Reissue Declaration Under 37 C.F.R. § 1.175.

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Yuchin Lin
4532 Old Carriage Trail
Oviedo, Florida 32765.

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- a copy of the '486 Application;
- a copy of the Preliminary Amendment filed on 24 July 2003 with the '486 Application; and
- a Reissue Declaration Under 37 C.F.R. § 1.175.

I sent these materials to Ms. Lin with a note asking her to have Dr. Lin execute the Reissue Declaration and return it to me. I sent these materials to the address set forth in Paragraph Eight of this Declaration.

Application 10/626,486

10. I received a receipt indicating that the mailing set forth in Paragraph Seven of this Declaration was received at the Coleman Low Security Federal Correctional Institution on 11 February 2004. A copy of this delivery receipt is attached hereto as Exhibit C, and is incorporated by reference herein.
11. I received a receipt indicating that the mailing set forth in Paragraph Nine of this Declaration was received on 12 February 2004. A copy of this delivery receipt is attached hereto as Exhibit D, and is incorporated by reference herein.
12. On or about 5 March 2004, I received a "Final Notice" from the United States Postal Service indicating that the mailing set forth in Paragraph Seven of this declaration was "Refused by Coleman Prison". A copy of this notification is attached hereto as Exhibit E, and is incorporated by reference herein.
13. As of the date of this Declaration, I have not received any communication from Dr. Lin or his wife in response to the mailings set forth in Paragraphs Seven and Nine of this Declaration. In particular, I have not received a Reissue Declaration signed by J.T. Lin for the '486 Application.
14. All statements made herein of my own knowledge are true. All statements made on information and belief are believed to be true. I am signing this Declaration with knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the '486 Application or any patent issuing therefrom.

Dated: 3/25/04

By: Colette Cozean
Colette Cozean

H:\DOCS\KFS\SURGILIGHT\004RA\SRGLT.004RA COZEAN DECLARATION.DOC
022904

COPY

PATENT ASSIGNMENT

WHEREAS, J.T. LIN, an individual, having a place of residence address at 4532 Old Canyoe Trail, Oviedo, FL 32765 ("Assignor"), is the owner of all rights in certain United States patent(s) and application(s) which are described in detail in Schedules A and B incorporated in this Assignment and certain foreign patents and foreign patent applications which are described in detail in Schedules C and D in this Assignment; and

WHEREAS, Surgilight, Inc., a Delaware corporation, having a place of business at 12001 Science Dr. Suite 140, Orlando, FL 32826 ("Assignee"), is desirous of obtaining the entire right, title, and interest in, to and under the aforesaid patent(s) and application(s):

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, Assignor has sold, assigned, transferred, and set over, and by these presents does hereby sell, assign, transfer, and set over unto Assignee, all of the patent(s) and application(s) described in the aforesaid schedules, for its own use and benefit, and for the use and benefit of its successors, legal representatives, and assigns, including:

1. the entire right, title, and interest in and to the United States patent(s) and application(s) as listed in Schedules A and B annexed hereto and made a part hereof, including all divisionals, continuations and continuations-in-part thereof, all patent applications claiming priority therefrom, and all patents which may be granted thereon, all rights of priority therein, all reissues and re-examinations and extensions thereof, and in and to the inventions disclosed therein;

J.T.

2. the entire right, title, and interest in and to foreign patent(s) and application(s) as listed in Schedules C and D annexed hereto and made a part hereof, including all divisionals, continuations and continuations-in-part thereof, and all patents of any country which may be granted thereon and reissues, renewals and extensions thereof, all rights of priority therein, and all applications for industrial property protection, which may hereafter be filed that correspond to the existing patents or applications in Schedules A, B, C or D, including without limitation, all applications for patents, utility models, and designs; together with the right to file such applications and the right to claim priority from prior applications under the patent laws of the United States or other countries under the International Agreement for the Protection of Industrial Property, or any other international agreement, or the domestic laws of the country in which any such application is filed, as may be applicable; and all forms of industrial property protection, including without limitation, patents, applications, utility models, inventors' certificates, and designs which may be granted for said patents, and all extensions, renewals and reissues thereof; and

3. the entire right, title and interest in all claims for damages and all remedies arising out of any violation or infringement of any issued patent identified on Schedule A or Schedule C hereto or of any patent granted in connection with the application listed on Schedule B or Schedule D, that may have occurred before the date hereof,

AND ASSIGNOR HEREBY authorizes and requests the Commissioner of Patents and Trademarks of the United States, and any official of any country or countries foreign to the United States whose duty it is to issue patents or other evidence or forms of industrial property protection on application as aforesaid, to issue the same to Assignee in accordance with the terms of this instrument;

COPY

AND ASSIGNOR HEREBY further covenants and agrees that he will do everything reasonably possible to aid Assignee, its successors, legal representatives, and assigns to obtain patents and other industrial property protection for said inventions in all countries at Assignee's sole expense;

AND ASSIGNOR FURTHER WARRANTS THAT: he is the true and lawful owner of all properties listed on Schedules A through D, and that he will execute further assignments for recordation of the conveyances recited herein as appropriate under the laws of the applicable country.

IN WITNESS WHEREOF, Assignor has executed this Assignment this 2nd day of

August, 2001.

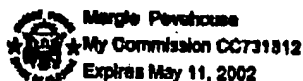
J. T. Lin

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

On AUGUST 2, 2001, before me, MARGIE PENEHOUSE personally appeared J. T. Lin personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



Margie Penhouse
Signature

MAY 11, 2002
Expiration Date

WHN-JT.doc:cb 073001

J.T.

COPY

SCHEDULE A (Inventor: J.T. Lin)
United States Patents

<u>Patent No.</u>	<u>Issue Date</u>	<u>Title</u>
6,258,082	7/10/2001	Methods and Apparatus For Presbyopia Correction Using Ultraviolet and Infrared Lasers
6,263,879	7/24/2001	Methods and Apparatus For Presbyopia Treatment and other Eye Disorders Using A Scanning Laser System

SCHEDULE B
United States Patents Applications

<u>Application No.</u>	<u>Filing Date</u>	<u>Title</u>
09/794,476*	2/28/2001	Methods and Apparatus For Presbyopia Treatment Using A Scanning Laser System * note: CIP of Pat. 6,263,879
09/820,832*	3/30/2001	Methods and Apparatus For Presbyopia Correction Using Ultraviolet and Infrared Lasers * note: CIP of Pat. 6,258,082
09/706,382	11/06/2000	Apparatus and Methods for The Treatment of Presbyopia Using Fiber-Coupled Lasers

SCHEDULE C
Foreign Patents (NONE)

SCHEDULE D
Foreign Patents Applications

<u>Application No.</u>	<u>Filing Date</u>	<u>Title</u>
PCT of Pat 6,263,879	02/7/01	Treatment of Presbyopia and other Eye Disorders Using A Dual-laser Scanning System

J.T. PCT of ~~Pat. 6,258,082~~ 08/06/01 - fiber laser
 app. No.
 09/706,382

J.T.
8/6/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Surgilight, Inc.

Group Art Unit 3738

Reissue

Application : 10/626,486

Filed : 24 July 2003

Reissue of

U.S. Patent : 6,263,879

Inventors : J.T. Lin

For : TREATMENT OF PRESBYOPIA AND OTHER
EYE DISORDERS USING A SCANNING LASER
SYSTEM

Examiner : Unknown

REISSUE DECLARATION UNDER 37 C.F.R. § 1.175

Dear Sir:

I hereby declare the following:

1. I am the original and sole inventor of the subject matter which is described and claimed in U.S. Patent 6,263,879, a copy of which is attached to this declaration. I have reviewed and understand the contents of this patent, including the claims.
2. I have reviewed and understand the contents of the Preliminary Amendment filed on 24 July 2003, a copy of which is attached to this declaration. I am the original and sole inventor of the subject matter recited in the amended claims presented in the Preliminary Amendment, including new Claims 14 through 23.
3. I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56.

4. I verily believe the original patent to be wholly or partially inoperative or invalid, because the patentee mistakenly claimed less than the patentee had the right to claim in the patent. At least new Claim 14 is broader than the claims of the original patent in at least some aspects.
5. All errors which are being corrected in this reissue application arose without any deceptive intention on my part.
6. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole inventor: **Jui-Teng Lin**

Signature: _____

Date: _____

Mailing address: **Coleman Low FCI, 846 NE 54th Terrace, PO Box 1029, Coleman, FL 33521**

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

JT Lin, PhD
Coleman Law F.L.I
846 NE 54th Terrace
PO 1029
Coleman, FL
33521

2. Article Number

(Transfer from service label)

PS Form 3811, August 2000

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent☒ Addressee

B. Received by (Printed Name)

C. Date of Delivery

2-16-04

- D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

7003 2260 0001 1002 9687

102596-02-M-1540

SENDER: COMPLETE THIS SECTION

- Complete Items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Jui-Teng Lin
4532 Old Carriage Trail
Oviedo, FL
32765

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

Yueh-Lin

☐ Agent☐ Addressee

B. Received by (Printed Name)

Yueh-Lin

C. Date of Delivery

5/12/04

D. Is delivery address different from Item 1? ☐ Yes
If YES, enter delivery address below:☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes2. Article Number
(Transfer from)

7003 2260 0001 1002 4670

PS Form 3811, August 2001

Domestic Return Receipt

702516-0244-1040

United States Postal Service

Sorry We Missed You! We'll Deliver for You

Today's Date

3-2-11

Sender's Name

RETURNED ITEM

Item List

☒ Post Office (See back)

Available for Pick-up After

Date:

Time:

We will call you to
your or your agent's
pick-up location.

☒ Letter
☒ Large
envelope,
magazine,
catalog, etc.
☐ Parcel
☐ Restricted
Delivery
☐ Perishable
Item
☐ Other:

For Delivery: (Enter total number of items
delivered by service type)

For Notice Left: (Check applicable item)

☐ Express Mail (We will
attempt to deliver on the
next delivery day unless
you instruct the post
office to hold it.)

☒ Certified

☐ Recorded
Delivery
First Class

☐ Registered

☐ Insured

☐ Return Receipt
for Merchandise

☐ Delivery
Confirmation
Signature
Confirmation

☐ If checked, you or your agent must be present
at time of delivery to sign for item

Article Number(s)

70032260 0001/002 9651

Refused by Coleman

FINAL NOTICE

WHILE FOR SIGNATURE

Customer Name and Address

OZCAN

Article Requiring Payment

☐ Postage Due ☐ COD ☐ Customs

Amount Due

\$

21581 Midcrest DR

Delivered by and Date

☒ Final Notice: Article will
be returned to sender on

3-12-11

Delivery Notice/Reminder/Receipt

PS Form 3849, November 1999

SRGLT.004RA



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Surgilight, Inc.

Group Art Unit 3738

Reissue

Application : 10/626,486

Filed : 24 July 2003

Reissue of

U.S. Patent : 6,263,879

Inventors : J.T. Lin

For : TREATMENT OF PRESBYOPIA AND OTHER
EYE DISORDERS USING A SCANNING LASER
SYSTEM

Examiner : Unknown

REISSUE DECLARATION UNDER 37 C.F.R. § 1.175

Dear Sir:

I hereby declare the following:

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3. I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56.

4. I verily believe the original patent to be wholly or partially inoperative or invalid, because the patentee mistakenly claimed less than the patentee had the right to claim in the patent. At least new Claim 14 is broader than the claims of the original patent in at least some aspects.
5. All errors which are being corrected in this reissue application arose without any deceptive intention on my part.
6. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole inventor: **Jui-Teng Lin**

Signature: _____

Date: _____

Mailing address: **Coleman Low FCI, 846 NE 54th Terrace, PO Box 1029, Coleman, FL 33521**

SRGLT.004RA

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application : 10/626,486

Applicant : SurgiLight, Inc.

Filed : 24 July 2003

Art Unit : 3738

Examiner : Unknown

Customer : 20,995

Confirmation Number 3794

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: United States Patent and Trademark Office, P.O. Box 1450, Arlington, VA 22313-1450, on

29 mar 04

Date

Kyle F. Schlueter
Kyle F. Schlueter, Reg. No. 54,912

TRANSMITTAL LETTER

Mail Stop MISSING PARTS
Commissioner for Patents
Post Office Box 1450
Alexandria, Virginia 22313-1450

Sir:

This communication is in response to the Notice to File Missing Parts of Reissue Application, which was mailed by the Office on 3 September 2003. An extension of time to respond for five months is hereby requested. The present application qualifies for small entity status under 37 C.F.R. § 1.27. Enclosed are:

- Petition to Accept an Unexecuted Declaration Under 37 C.F.R. § 1.47(b) (in duplicate).
- Declaration by Colette Cozean Regarding Non-Signing Inventor Jui-Teng Lin with Exhibits (in duplicate).
- An unexecuted Declaration by Inventor.
- A Reissue Application Consent of Assignee and Offer to Surrender.
- A Statement Under 37 C.F.R. § 3.73(b), including Copy of Assignment.
- A Notice to File Missing Parts
- Return prepaid postcard.

Application 10/626,486

- Small entity fees as calculated below:

Fee for five-month time extension	\$ 1005
Surcharge under 37 C.F.R. § 1.16(e)	\$ 65
Statutory basic filing fee	\$ 385
Petition fee	\$ 130
Additional claim fees:	
3 claims over twenty, at \$9 each	\$ 27
1 new independent claim, at \$43 each	\$ 43
Total fees enclosed	\$ 1655

- A check in the amount of \$1655 to cover the above fees.

The Commissioner is hereby authorized to charge any additional fees which may be required, now or in the future, or to credit any overpayment, to Deposit Account 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 29 mar 04

By: Kyle F. Schlueter
Kyle F. Schlueter
Registration No. 54,912
Attorney of Record
Customer No. 20,995
(310) 551-3450

AMEND

H:\DOCS\KFS\SURGILIGHT\004RA\SRGLT.004RA RESPONSE TO MISSING PARTS.DOC
022904

**REISSUE APPLICATION
CONSENT OF ASSIGNEE (37 C.F.R. § 1.172)
OFFER TO SURRENDER (37 C.F.R. § 1.178)**

This is part of the application for a reissue patent based on the original patent identified below.

Name of Patentee: **J.T. Lin**

Patent Number: **6,263,879**

Date Issued: **24 July 2001**

Title: **TREATMENT OF PRESBYOPIA AND OTHER EYE DISORDERS USING A SCANNING LASER SYSTEM**

Filed herein is a statement under 37 C.F.R. §3.73(b).

The assignee owning an undivided interest in said original patent is **Surgilight, Inc.**, and the assignee consents to the application for reissue filed on 24 July 2003. **Surgilight, Inc.** hereby offers to surrender said patent.

Surgilight, Inc. hereby revokes any previous powers of attorney in the subject application, and hereby appoints the registrants of Knobbe, Martens, Olson & Bear, LLP, 2040 Main Street, 14th Floor, Irvine, California 92614, Telephone (949) 760-0404, **Customer No. 20,995**, as its attorneys with full power of substitution and revocation to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected herewith. This appointment is to be to the exclusion of the inventors and their attorneys in accordance with the provisions of 37 C.F.R. § 3.71. Please use **Customer No. 20,995** for all communications.

Name of Assignee: **Surgilight, Inc.**

Signature: *Colette Cozean*

Date: 2/2/04

Printed name of person signing for assignee: Colette Cozean

Title of person signing for assignee: CEO

STATEMENT UNDER 37 C.F.R. § 3.73(b)

Applicant/Patent Owner: **Surgilight, Inc.**

Patent Number: **6,263,879**

Date Issued: **24 July 2001**

Title: **TREATMENT OF PRESBYOPIA AND OTHER EYE DISORDERS USING A SCANNING LASER SYSTEM**

Surgilight, Inc. states that it is the assignee of the entire right, title, and interest in the patent identified above by virtue of the assignment attached hereto.

Printed name of person signing: Colette Cozean, PhD

Signature: Colette Cozean

Date: 2/2/04

Title: CEO

COPY

PATENT ASSIGNMENT

WHEREAS, J.T. LIN, an individual, having a place of residence address at 4532 Old Canine Trail, Oviedo, FL 32765 ("Assignor"), is the owner of all rights in certain United States patent(s) and application(s) which are described in detail in Schedules A and B incorporated in this Assignment and certain foreign patents and foreign patent applications which are described in detail in Schedules C and D in this Assignment; and

WHEREAS, Surgilight, Inc., a Delaware corporation, having a place of business at 12001 Science Dr. Suite 140, Orlando, FL 32826 ("Assignee"), is desirous of obtaining the entire right, title, and interest in, to and under the aforesaid patent(s) and application(s):

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, Assignor has sold, assigned, transferred, and set over, and by these presents does hereby sell, assign, transfer, and set over unto Assignee, all of the patent(s) and application(s) described in the aforesaid schedules, for its own use and benefit, and for the use and benefit of its successors, legal representatives, and assigns, including:

1. the entire right, title, and interest in and to the United States patent(s) and application(s) as listed in Schedules A and B annexed hereto and made a part hereof, including all divisionals, continuations and continuations-in-part thereof, all patent applications claiming priority therefrom, and all patents which may be granted thereon, all rights of priority therein, all reissues and re-examinations and extensions thereof, and in and to the inventions disclosed therein;

J.T.

2. the entire right, title, and interest in and to foreign patent(s) and application(s) as listed in Schedules C and D annexed hereto and made a part hereof, including all divisionals, continuations and continuations-in-part thereof, and all patents of any country which may be granted thereon and reissues, renewals and extensions thereof, all rights of priority therein, and all applications for industrial property protection, which may hereafter be filed that correspond to the existing patents or applications in Schedules A, B, C or D, including without limitation, all applications for patents, utility models, and designs; together with the right to file such applications and the right to claim priority from prior applications under the patent laws of the United States or other countries under the International Agreement for the Protection of Industrial Property, or any other international agreement, or the domestic laws of the country in which any such application is filed, as may be applicable; and all forms of industrial property protection, including without limitation, patents, applications, utility models, inventors' certificates, and designs which may be granted for said patents, and all extensions, renewals and reissues thereof; and

3. the entire right, title and interest in all claims for damages and all remedies arising out of any violation or infringement of any issued patent identified on Schedule A or Schedule C hereto or of any patent granted in connection with the application listed on Schedule B or Schedule D, that may have occurred before the date hereof,

AND ASSIGNOR HEREBY authorizes and requests the Commissioner of Patents and Trademarks of the United States, and any official of any country or countries foreign to the United States whose duty it is to issue patents or other evidence or forms of industrial property protection on application as aforesaid, to issue the same to Assignee in accordance with the terms of this instrument;

COPY

AND ASSIGNOR HEREBY further covenants and agrees that he will do everything reasonably possible to aid Assignee, its successors, legal representatives, and assigns to obtain patents and other industrial property protection for said inventions in all countries at Assignee's sole expense;

AND ASSIGNOR FURTHER WARRANTS THAT: he is the true and lawful owner of all properties listed on Schedules A through D, and that he will execute further assignments for recordation of the conveyances recited herein as appropriate under the laws of the applicable country.

IN WITNESS WHEREOF, Assignor has executed this Assignment this 2nd day of

August, 2001.

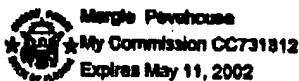
[Signature]

STATE OF FLORIDA)
COUNTY OF BERNAL)

On AUGUST 2, 2001 before me, MARGIE PERKINS personally appeared J. T. Lin personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



Margie Perkins
Signature

MAY 11, 2002
Expiration Date

WHN-JT.doc:ch 073001

J.T.

COPY

SCHEDULE A (Inventor: J.T. Lin)
United States Patents

<u>Patent No.</u>	<u>Issue Date</u>	<u>Title</u>
6,258,082	7/10/2001	Methods and Apparatus For Presbyopia Correction Using Ultraviolet and Infrared Lasers
6,263,879	7/24/2001	Methods and Apparatus For Presbyopia Treatment and other Eye Disorders Using A Scanning Laser System

SCHEDULE B
United States Patents Applications

<u>Application No.</u>	<u>Filing Date</u>	<u>Title</u>
09/794,476*	2/28/2001	Methods and Apparatus For Presbyopia Treatment Using A Scanning Laser System * note: CIP of Pat. 6,263,879
09/820,832*	3/30/2001	Methods and Apparatus For Presbyopia Correction Using Ultraviolet and Infrared Lasers * note: CIP of Pat. 6,258,082
09/706,382	11/06/2000	Apparatus and Methods for The Treatment of Presbyopia Using Fiber-Coupled Lasers

SCHEDULE C
Foreign Patents (NONE)

SCHEDULE D
Foreign Patents Applications

<u>Application No.</u>	<u>Filing Date</u>	<u>Title</u>
PCT of Pat 6,263,879	02/7/01	Treatment of Presbyopia and other Eye Disorders Using A Dual-laser Scanning System

J.T. PCT of ~~Pat. 6,258,082~~ 08/06/01 - Fluor-laser
 app. No.
 09/706,382

J.T.
 8/6/01